

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FLORA A. McLOUTH,

Plaintiff,

Case No. 1:07-CV-547

v.

Hon. Richard Alan Enslen

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**JUDGMENT**

This is an action pursuant to Section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), to review a final decision of the Commissioner of Social Security denying Plaintiff's claim for disability insurance benefits under Title II of the Social Security Act. The matter was referred to United States Magistrate Judge Ellen S. Carmody, who issued a Report and Recommendation ("Report") to affirm the decision of the Commissioner. The matter presently is before the Court on Plaintiff's objections to the Report.

This Court reviews *de novo* those portions of a Report to which specific objections are made. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); *see also U.S. Fid. & Guar. Co. v. Thomas Solvent Co.*, 955 F.2d 1085, 1088 (6th Cir. 1992) (noting that a district court conducts *de novo* review of magistrate judge's rulings on dispositive motions). “[A] general objection to a magistrate's report, which fails to specify the issues of contention, does not satisfy the requirement that an objection be filed. The objections must be clear enough to enable the district court to discern those issues that

are dispositive and contentious.” *Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995). The Court may accept, reject or modify any or all of the Magistrate Judge’s findings or recommendations. 28 U.S.C. § 636(b)(1).

Rather than making specific objections to the Report, Plaintiff has simply reiterated the arguments set forth in her appeal from the Commissioner’s decision. Such a general objection to the entirety of the Report is insufficient to preserve Plaintiff’s right of review. *Miller*, 50 F.3d at 380; *Howard v. Sec’y of Health & Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991).

Moreover, even were Plaintiff’s objections sufficiently specific, her claim is without merit. The Court’s review in a social security case is limited to determining whether the Commissioner applied the proper legal standards in making his decision and whether there exists in the record substantial evidence supporting that decision. *See Brainard v. Sec’y of Health & Human Servs.*, 889 F.2d 679, 681 (6th Cir. 1989). The Commissioner both applied the proper legal standards and relied upon substantial supporting evidence. The Court carefully has considered each of Plaintiff’s arguments and finds no error in the reasoning of the Magistrate Judge. Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff’s Objections (Dkt. No. 12) are **DENIED**, the Report and Recommendation (Dkt. No. 11) is **ADOPTED** and the Commissioner of Social Security’s decision to deny benefits is **AFFIRMED**.

DATED in Kalamazoo, MI:  
September 3, 2008

/s/ Richard Alan Enslen  
RICHARD ALAN ENSLEN  
SENIOR UNITED STATES DISTRICT JUDGE